

RECEIVED CENTRAL FAX CENTER JUN 1 0 2005

To Mail Stop Appeal Brief - Patents Commissioner for Patents

Cc

(703) 872-9306 Fax

Dept

Stephen D. Harper From

(610) 278-4927

4 (including cover page) Pages

(610) 278-6548 Fax

June 10, 2005

F-mail

THE INFORMATION CONTAINED IN THIS FAX MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT(S) NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR. AND THAT ANY REVIEW DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

Docket No.:

H 4494 PCT/US

RE:

Kleen et al.

Application No.:

10/088,432

Examiner:

Eisa B. Elhilo

Grp /Art Unit:

1751

Confirmation No.:

1770

- Transmittal Form (1 page)
- Supplement to Appellants' Brief (2 pages)

Henkel Corporation Patent Department

2200 Renaissance Biva., Ste. 200 Gulph Mills, PA 19406 USA

www.henkel us

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless a displays a valid OMB control number.

			Application Numb	or I	10/000	422	
TRANSMITTAL			Filing Date	10/088,432			
			riiing Date	May 31, 2002			
			First Named Inver	Astrid KLEEN			
			Art Unit		1751		
(to be used for all correspondence after impal faing)			Examiner Name		Eisa B. Elhilo		
Total Number of Pages in This Submission 4			Attorney Docket N	lumber	H 4494 PCT/US		
ENCLOSURES (Check all that apply)							
Fee Transmatal Form Fee Attached Amendment/Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Phonty Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1 52 or 1 53		Licensii Petrion Petrion Provisio Power of Change Termina Reques CD, Null	Drawing(s) Licensing-related Papers Petrion Petrion to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s) Landscape Taple on CD		After Allowance communication to TC Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Nouce, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please identify below): Facsimile Cover Sheet		
SIGNATURE OF ADDITIONAL ATTORNEY OF AGENT							
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Film name Henker Corporation							
Fum name Henkel/Corporation. Signature							
Printed name Stephen D. Harper							
Date 6/10/05			Reg No. 33,243				
CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the united States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Appeal Brief – Patents, Commissioner for Patents, P.O. Box 1450, Alexandra, VA 22313-1450 on the date shown below.							
Signature This M. Grosuis							
Typed or printed name	Ins M. Grogins	- 171 (C-7 14	<u> </u>			Date	6/10/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidermality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent and Trademan. Office, U.S. Department of Commerce. P.O. Box 1450, Alexandria. VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re Application of:

Kleen, et al.

Confirmation No.: 1770

Application No.: 10/088,432

Group Art Unit: 1751

Filing Date: May 31, 2002

Examiner: Eisa B. Elhilo

JUN 1 0 2005

METHOD FOR RESTRUCTURING KERATIN FIBERS For:

CERTIFICATE OF FACSIMILE TRANSMITTAL

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office at 703-872-9306

Stenature of Certifier

Iris M. Grogins

Typed or printed manie of certifier

Mail Stop Appeal-Brief Patents Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

SUPPLEMENT TO APPELLANTS' BRIEF PURSUANT TO 37 C.F.R. § 41.37

This submission supplements the Appeal Brief filed April 28, 2005, in support of Appellants' appeal from the rejections of claims 13-27 in the Final Office Action dated November 3, 2004. Appellants filed a Notice of Appeal on February 28, 2005. Appellants hereby request that Section 2 ("Related Appeals and Interferences") of the Appeal Brief be deleted and that new Section 2 shown below be substituted therefore. At the time the Appeal Brief was originally submitted, the undersigned was not aware of the possible significance of the co-pending application referred to in new Section 2

2. RELATED APPEALS AND INTERFERENCES

Appellants wish to make the Board aware of co-pending application Ser. No. 10/088,247, filed March 15, 2002. This co-pending application is currently on appeal

Application No.: 10/088,432 Docket No H 4494 PCT/US

and is assigned to the same assignee (Henkel Kommanditgesellschaft auf Aktien) as the above-referenced application Ser. No. 10/088,432. While the co-pending application does not claim common priority with the above-referenced application, the subject matter of the two applications may be considered to be related in certain ways. The co-pending application thus may have a bearing on the Board's decision in the pending appeal of the above-referenced application.

Should any fees be due for entry and consideration of this Supplement that have not been accounted for, the Commissioner is authorized to charge them to Deposit Account No. 01-1250

Date: 6/10/05

Stephen D. Harper Registration No. 33,243

Henkel Corporation 2200 Renaissance Boulevard, Suite 200 Gulph Mills, PA 19406

Telephone: (610) 278-4927 Facsimile: (610) 278-6548